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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 DAMON ALLGIRE,

No. CIV-S-04-1680 MCE/GGH P

12 Plaintiff,

13 v.

ORDER

14 WARDEN R.A. CASTRO, ET AL.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, has filed
18 this civil rights action seeking relief under 42 U.S.C. § 1983.
19 The matter was referred to a United States Magistrate Judge
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.
21 262.

22 On June 17, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on plaintiff and which
24 contained notice to plaintiff that any objections to the findings
25 and recommendations were to be filed within twenty days.

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1 Plaintiff has not filed objections to the findings and
2 recommendations.

3 The court has reviewed the file and finds the findings and
4 recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed June 17, 2005,
8 are adopted in full;

9 2. Defendants Schwarzenegger, Hickman, and Runnels are
10 dismissed from this action, and defendant J.S. Woodford is
11 dismissed as a defendant in her individual capacity for money
12 damages; and

13 3. This action shall proceed against defendant Woodford in
14 her official capacity only as to plaintiff's claims for
15 prospective injunctive relief.

16 DATED: September 7, 2005

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20 MORRISON C. ENGLAND, JR.
21 UNITED STATES DISTRICT JUDGE
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